

OCT-05-2004 15:39

McGarry Bair PC

616 742 1010 P.42/65





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NOTICE OF ALLOWANCE AND FEE(S) DUE

20915 7590 04/23/2004

MCGARRY BAIR PC
 171 MONROE AVENUE, N.W.
 SUITE 600
 GRAND RAPIDS, MI 49503

EXAMINER
SNIDER, THERESA T

ART UNIT	PAPER NUMBER
1744	

DATE MAILED: 04/23/2004

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,890	01/11/2002	Samuel N. Hansen	71189-1393	1886

TITLE OF INVENTION: EXTRACTION CLEANING WITH OPTIMAL CLEANING SPEED

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	07/23/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

Applicant claims SMALL ENTITY status.
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications pertaining to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due. APR 26 2004

Page 1 of 3

PTOL-85 (Rev. 11/03) Approved for use through 04/30/2004.



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,890	01/11/2002	Samuel N. Hansen	71189-1393	1886
20915	7590	04/23/2004	EXAMINER	
MCGARRY BAIR PC 171 MONROE AVENUE, N.W. SUITE 600 GRAND RAPIDS, MI 49503			SNIDER, THERESA T	
		ART UNIT		PAPER NUMBER
		1744		

DATE MAILED: 04/23/2004

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)
 (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 253 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 253 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

Notice of Allowability	Application No.	Applicant(s)
	10/044,890	HANSEN, SAMUEL N.
	Examiner Theresa T. Snider	Art Unit 1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to Amndt. of 2/19/2004.
2. The allowed claim(s) is/are 4-10, 12-18, 20-21 and 23-26 renumbered 1-20, respectively.
3. The drawings filed on 19 February 2004 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some* c) None of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date 4/14/2004.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

Theresa T. Snider
Primary Examiner
Art Unit: 1744

Examiner-Initiated Interview Summary	Application No.	Applicant(s)
	10/044,890	HANSEN, SAMUEL N.
	Examiner Theresa T. Snider	Art Unit 1744
All Participants: (1) <u>Theresa T. Snider</u> . (2) <u>John McGarry</u> .	Status of Application: <u>Initial</u>	
Date of Interview: <u>14 April 2004</u>	Time: <u>10:00 AM</u>	
Type of Interview: <input checked="" type="checkbox"/> Telephonic <input type="checkbox"/> Video Conference <input type="checkbox"/> Personal (Copy given to: <input type="checkbox"/> Applicant <input type="checkbox"/> Applicant's representative)		
Exhibit Shown or Demonstrated: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide a brief description:		
Part I. Rejection(s) discussed: Claims discussed: 4-10, 12-21 and 23-25		
Prior art documents discussed: Hasegawa et al.(5,357,649)		
Part II. SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED: <i>See Continuation Sheet</i>		
Part III. <ul style="list-style-type: none"> <input checked="" type="checkbox"/> It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability. <input type="checkbox"/> It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above. 		
<hr/>		<hr/>
(Examiner/SPE Signature)		(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: Examiner called Mr. McGarry to inform him that claims 4-7, 15-18, 20-21 and 23-25 were in condition for allowance. Examiner informed Mr. McGarry that she indicated claim 11 allowable, in error, and Hasegawa et al. does in fact disclose a pivotal handle (fig. 1, #1a, unlabeled pin attachment). Therefore, amended claim 8, which incorporates claim 11, is still rejectable under Hasegawa et al.. Mr. McGarry suggested inserting the presence of at least one supporting wheel wherein the detector is aligned with and adjacent to the at least one wheel to detect its rotational motion. Mr. McGarry pointed out that Hasegawa et al. has two supporting wheels(5), however the detector(8s) is aligned with a 'sensor' wheel(6) that does not support the apparatus. Though the sensor wheel is contacting the ground, it is mounted on a swing arm(7) that is pivotally mounted to the frame of Hasegawa et al. and therefore structurally would not be able to be considered a 'supporting' wheel. Examiner agreed with this argument. It was agreed that the pivotal handle of former claim 11 would be removed from claim 8 and re-introduced as a dependent claim. Mr. McGarry agreed to change in claim 4, as outlined in the attached Examiner's Amendment, to provide for proper antecedence.

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Art Unit: 1744

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John McGarry on 4/14/2004.

The application has been amended as follows:

In the Claims

Claim 4, line 10, 'liquid' has been replaced with --cleaning fluid--.

Claim 8, line 3, after 'cleaned;', --at least one wheel mounted to the extraction housing in supporting relationship thereto for rotation about a horizontal axis and movement of the extraction housing along the floor surface-- has been inserted;

Line 4, 'pivotally' has been deleted;

Line 12, after 'speed;', --wherein the detector is aligned with and adjacent to the at least one wheel and is adapted to detect the rotational motion of the at least one wheel without physically contacting the wheel-- has been inserted.

Claim 13, lines 1-2, 'and further comprising' has been replaced with --wherein the--;

Line 2, 'two' has been replaced with --one--;

Line 2, 'wheels' has been replaced with --wheel--;

Line 2, --comprises at least two wheels-- has been inserted after 'wheel';

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Line 2, after 'housing', --in supporting relationship thereto for rotation about the horizontal axis-- has been inserted;

Lines 3-4, 'and is...contacting the wheel' has been deleted.

The following has been inserted:

--26. The extraction surface cleaning apparatus of claim 8 wherein the handle is mounted to the extraction housing for pivotal movement about the horizontal axis of rotation of the at least one wheel.--

2. The following is an examiner's statement of reasons for allowance: the prior art discloses an extraction surface cleaning apparatus with an extractor housing and a detector and output device for sensing the speed of the extractor housing over a surface and displaying the speed to a user, wherein the detector includes a disk-portion mounted to a wheel and a pick-up portion HOWEVER fails to disclose or fairly suggest the disk portion having alternating opposite-polarity magnetic segments thereon and the pick-up portion adapted to detect the rotational speed of the disk portion by detecting changes in the magnetic polarity of a particular segment of the disk portion located adjacent to the pick-up portion. The prior art discloses an extraction surface cleaning apparatus with an extractor housing with at least one supporting wheel wherein a detector is aligned and mounted adjacent to a sensor wheel to detect the rotational motion thereof without physically contacting the wheel HOWEVER fails to disclose or fairly suggest the detector aligned and mounted adjacent to the at least one supporting wheel to detect the rotational motion thereof without physically contacting the wheel. The prior art fails to disclose a method of cleaning a floor surface with an extraction cleaner that includes the step of

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generating a predetermined reference signal and comparing it to a speed signal and communicating a detected relative speed to a user of the cleaner.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa T. Snider whose telephone number is (571) 272-1277. The examiner can normally be reached on Monday-Wednesday-Friday (6:30AM-3:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Warden can be reached on (571) 272-1281. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TS/S.O.

Theresa T. Snider
Primary Examiner
Art Unit 1744

THERESA T. SNIDER
PRIMARY EXAMINER

4/19/04

OCT-05-2004 15:42

McGarry Bair PC

O:Auto-reply fax to 616 742 1010 COMPANY:

616 742 1010 P.51/65

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Received
 Cover
 Page

<=====>

APR-15-2004 16:54	McGarry Bair PC	616 742 1010 P.51/65	
McGarry Bair PC <small>Intellectual Property Counselors</small> <small>171 Monroe Avenue NW Suite 600 Grand Rapids MI 49503 mcgarrybair.com</small> <small>Tel (616) 742-3500 Fax (616) 742-1010</small>			
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TO	Theresa T. Ginder	FROM	John E. McGarry, Esq
FAX	(703) 572-8305	PAGES	4 + Coversheet
PHONE		DATE	April 15, 2004
RE	Serial No. 10/044,890 - Filed 01/11/02		
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<small>Comments:</small> <small>Please see the attached claims for Examiner's Amendment. If you have any questions please contact John E. McGarry 616-742-3511.</small>			

McGarry Bair PC
Intellectual Property Counselors

171 Monroe Avenue NW Suite 600 Grand Rapids MI 49503 mcgarrybair.com
Tel (616) 742-3500 Fax (616) 742-1010

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TO Theresa T. Snider FROM John E. McGarry, Esq
FAX (703) 872-9306 PAGES 4 + Coversheet
PHONE 571-273-1277 DATE April 15, 2004
RE Serial No. 10/044,890 - Filed: 01/11/02

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Comments:

Please see the attached claims for Examiner's Amendment. If you have any questions please contact John E. McGarry 616-742-3511.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicant: Samuel N. Hansen
For: EXTRACTION CLEANING WITH OPTIMAL CLEANING SPEED
Serial No.: 10/044,890 Examiner: Theresa T. Snider
Filed: 01/11/02 Group Art Unit: 1744
Atty. Docket: 71189-1393 Confirmation No.: 1886

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

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transmitted by facsimile to the Patent and Trademark Office.
to Examiner Theresa T. Snider at (703) 872-8306

Date: April 15, 2004

Christine M. Judge
Signature
Christine M. Judge
(Type or print name of person certifying)

Commissioner for Patents
Alexandria, VA 22313-1450

Sir:

CLAIMS FOR EXAMINER'S AMENDMENT

Please see the Amendments to the Claims 4, 8, and 13 and new claim 26 as reflected in
the listing of claims that begin on page 2 of this paper.

Serial No. 10/044/890
Filed: 01/11/2002
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Examiner: Theresa T. Snider
Group Art Unit: 1744

In the Claims:

4. (Currently amended) An extraction surface cleaning apparatus having:
a housing;
at least two wheels mounted to the housing for supporting the housing for movement along a surface to be cleaned;
- 5 a liquid dispensing system mounted to the housing and including:
a liquid dispensing nozzle for applying a cleaning fluid to the surface to be cleaned;
a fluid supply chamber for holding a supply of cleaning fluid;
a fluid supply conduit fluidly connected to the fluid supply chamber and to the dispensing nozzle for supplying liquid-cleaning fluid to the dispensing nozzle;
- 10 a fluid recovery system mounted to the housing and including:
a recovery chamber for holding recovered fluid,
a suction nozzle,
a working air conduit extending between the recovery chamber and the suction nozzle; and
a vacuum source in fluid communication with the recovery chamber for generating a flow of working air from the suction nozzle through the working air conduit and through the recovery chamber to thereby draw dirty liquid from the surface to be cleaned through the suction nozzle and the working air conduit, and into the recovery chamber;
- 15 20 a detector mounted on the housing for sensing the speed of the housing across the surface being cleaned and for generating a speed signal representative thereof;
an output device mounted on the housing and coupled to the detector for displaying or audibly expressing the relative speed of the housing across the surface being cleaned;
wherein the detector is aligned with and adjacent to one of the at least two wheels and is adapted to detect the rotational motion of the one of the at least two wheels without physically contacting the wheel; and

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Filed: 01/11/2002
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Examiner: Theresa T. Snider
Group Art Unit: 1744

a first disk portion mounted to the one of the at least two wheels for rotation therewith; and wherein the detector is aligned with and adjacent to the first disk portion adapted to generate a speed signal representative of the rotation of the first disk portion;
the improvement comprising:

5 wherein the first disk portion has alternating opposite-polarity magnetic segments thereon and the detector is adapted to sense the rotational speed of the first disk portion by detecting changes in the magnetic polarity of a particular segment of the first disk portion.

8. (Currently amended) An extraction surface cleaning apparatus having:

an extraction housing including a suction nozzle adapted to be moved along a floor surface to be cleaned;

5 at least one wheel mounted to the extraction housing in supporting relationship thereto for rotation about a horizontal axis and movement of the extraction housing along the floor surface;

a handle pivotally mounted to the extraction housing for grasping by a user and propelling the extraction housing over the floor surface;

10 movable therewith to apply a cleaning solution to the floor surface;

a fluid recovery system interconnected with the extraction housing to recover soiled cleaning solution from the floor surface;

15 a detector mounted to the extraction housing for detecting the relative speed of the extraction housing relative to the floor surface and for generating a signal representative of the detected speed;

wherein the detector is aligned with and adjacent to the at least one wheel and is adapted to detect the rotational motion of the at least one wheel without physically contacting the wheel; and

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Filed: 01/11/2002
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Examiner: Theresa T. Snider
Group Art Unit: 1744

an output device operably interconnected with the detector, adapted to receive the
20 signal generated by the detector and to indicate to the user the detected relative speed of the
extraction housing.

13. (Currently amended) The extraction surface cleaning apparatus of claim 8 and
~~further comprising wherein the at least two one wheels comprises at least two wheels mounted to~~
~~the extraction housing in supporting relationship thereto for rotation about the horizontal axis,~~
and wherein the detector is aligned with and adjacent to one of the at least two wheels and is
5 ~~adapted to detect the rotational motion of the one of the at least two wheels without physically~~
~~contacting the wheel.~~

26. (New) The extraction surface cleaning apparatus of claim 8 wherein the handle is
mounted to the extraction housing for pivotal movement about the horizontal axis of rotation of
the wheels.

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Comments:

Please see the attached claims for Examiner's Amendment. If you have any questions please contact John E. McGarry 616-742-3511.

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Comments:

Please see the attached claims for Examiner's Amendment. If you have any questions please contact John E. McGarry 616-742-3511.